

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re: Chapter 13  
Case No. 11-58875 SLJ  
Michael Anthony Gavin and Lisa Marie Gavin

OBJECTION TO CLAIM; NOTICE OF OPPORTUNITY FOR  
HEARING; CERTIFICATE OF SERVICE  
CLAIMANT: Bank of America, National Association as successor by  
merger to LaSalle Bank National Association, as Trustee for  
Certificateholders of Bear Stearns Asset Backed Securities I LLC,  
Asset Backed-Certificates, Series 2005-HE11  
CLAIM NO: 11

Debtor(s) \_\_\_\_\_/

The Debtor(s) [or Trustee] object(s) to the allowance of the claim described as:

<u>NAME &amp; ADDRESS OF CLAIMANT (as set forth on Proof of Claim)</u>	<u>DOLLAR AMT</u>	<u>DATE FILED</u>
Bank of America, National Association as successor by merger to LaSalle Bank National Association, as Trustee for Certificateholders of Bear Stearns Asset Backed Securities I LLC, Asset Backed-Certificates, Series 2005-HE11 Address: Chase Records Center Attn: Correspondence Mail Mail Code LA4-555 700 Kansas Lane Monroe, LA 71203	\$365,031.11	March 29, 2012

The basis for the objection is that the claim:

\_\_\_ duplicates claim no. \_\_\_\_\_ filed on \_\_\_\_\_ by \_\_\_\_\_.  
\_\_\_ does not include a copy of the underlying judgment.  
\_\_\_ does not include a copy of the security agreement and evidence of perfection.  
\_\_\_ fails to assert grounds for priority.  
\_\_\_ does not include a copy of the assignment(s) upon which it is based.  
\_\_\_ appears to include interest or charges accrued after the filing of this case on \_\_\_\_\_.  
\_\_\_ is not timely filed.

XX The debtors intend to surrender the real property located at 7748 N. Patriot Ave., Fresno, CA 93722 to the above  
lienholder in satisfaction of the debt in full pursuant to the Chapter 13 Plan. A stipulation terminating the automatic stay  
was filed with the Court on December 14, 2012 (Docket No. 44) and an Order was approved by the Court on January 6,  
2013 (Docket No. 46).

The Objecting Party will ask the Court to enter an Order providing that the claim is:

\_\_\_ allowed as a secured claim in the amount of: \$ \_\_\_\_\_.  
\_\_\_ allowed as an unsecured claim in the amount of: \$ \_\_\_\_\_.  
\_\_\_ allowed as a priority claim in the amount of: \$ \_\_\_\_\_.  
XX disallowed in its entirety  
XX not to be paid by the Chapter 13 Trustee.

**NOTICE IS HEREBY GIVEN**, pursuant to FRBP 3007 as modified by Local Rule 9014: 1) that any objection to the  
requested relief, or a request for hearing on the matter must be filed and served on the requesting party within twenty-one  
(21) days of mailing of the notice; 2) that a request for hearing or objection must be accompanied by any declarations or  
memoranda of law the party objecting or requesting wishes to present in support of its position; 3) that if there is not a  
timely objection to the requested relief or a request for hearing, the Court may enter an order granting the relief by default;  
and 4) that the initiating party will give at least seven (7) days written notice of hearing to the objecting or requesting party,  
and to any trustee or committee appointed in the case, in the event an objection or request for hearing is timely made.

Dated: April 11, 2013

DEBTORS' ADDRESS:  
Michael and Lisa Marie Gavin  
6097 Santa Ysabel Way  
San Jose, CA 95123

/s/ Anita L. Steburg  
Attorney for Objecting Party, Michael and Lisa Marie Gavin  
Steburg Law Firm, P.C.  
1798 Technology Drive, Suite 258  
San Jose, CA 95110  
Telephone: (408) 573-1122

CERTIFICATE OF SERVICE

I am not less than 18 years of age and not a party to the within case. My business address is: 1798 Technology Drive, Suite 258, San Jose, CA 95110. I served this OBJECTION TO CLAIM; NOTICE OF OPPORTUNITY FOR HEARING by first-class United States Mail, postage pre-paid, at San Jose, California, on the date noted below and addressed to the Claimant above, and on those listed below:

PITE DUNCAN

4375 Jutland Drive, Suite 200

PO Box 17933

San Diego, CA 92117

(Counsel for creditor)

If entitled to notice, the Chapter 13 Trustee will receive such notice upon the electronic filing of this document I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: April 11, 2013 at San Jose, California.

/s/ Anita L. Steburg  
Steurg Law Firm, P.C.  
1798 Technology Drive, Suite 258  
San Jose, CA 95110

Rev. 1/2010